S.B.CRIMINAL MISC. BAIL APPLICATION NO.4326/2007
(Smt. Guddi vs. State of Rajasthan)

DATE OF ORDER : September 07, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.M.K.Garg,for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned.

It is contended by the learned counsel for the petitioner that the husband and brother-in-law (Devar) of the complainant have been arrested and dowry articles alleged to have been belonging to the complainant have been recovered. It is further contended by the learned counsel for the petitioner that the petitioner is an old lady of 65 years.

On perusal of the order impugned, it appears that co-accused have been arrested and dowry articles have been recovered, however, subsequently, they have been enlarged on bail.

Having regard to the facts and circumstances of the case and the fact that dowry articles have been recovered from the husband and brother-in-law (Devar) of the complainant, without commenting on the merit of the case, I consider it just and proper to grant anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under

section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Smt. Guddi w/o Sarwan Kumar in FIR No.523/2007, Police Station, Suratgarh, Distt. Sri Ganganagar she shall be released on bail for a period till the police concludes the investigation and files the challan provided she furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That she shall make herself available for interrogation by a police officer as and when required;

(ii)That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer and;

(iii)That she shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-